

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6220**

**BILL NUMBER: SB 30**

**NOTE PREPARED:** Nov 15, 2002

**BILL AMENDED:**

**SUBJECT:** Employee Off-Duty Use of Tobacco.

**FIRST AUTHOR:** Sen. Clark

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill repeals the prohibition against an employer: (1) limiting an employee's off-duty use of tobacco; or (2) discriminating against an employee with respect to compensation, benefits, or terms and conditions of employment based on an employee's off-duty use of tobacco.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** *Court Fee Revenue:* The prohibition's repeal would prevent a person from bringing a civil action against an employer in the event the employee is discriminated against due to the employee's off-duty use of tobacco. A portion of the \$100 civil filing fee is deposited in the state General Fund.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Court Fee Revenue:* If there are fewer civil actions than what would have occurred absent this proposal, local governments would receive less revenue from the following sources. The county general fund receives 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee is deposited in the county general fund and 25% is deposited in the city or town general fund.

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** John Parkey, 317-232-9854